

FILED  
CHARLOTTE, NC

MAR 12 2020

US DISTRICT COURT  
WESTERN DISTRICT OF NC

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

IN RE: Real property at 1734 Orchard )  
Drive, Lenoir, North Carolina, more )  
particularly described in a Deed to Richard )  
A. Clark and wife, Linda A. Clark, recorded )  
at Caldwell County Deed Book 1257 Page )  
0471. )

CASE NO: 3:20-mc-45

**ORDER AND LIS PENDENS**

FILE IN GRANTOR INDEX UNDER: )  
Richard A. Clark and Linda A. Clark. )

WHEREAS, the United States of America, by and through Jennifer W. Berry, Special Agent, Internal Revenue Service-Criminal Investigations Division, has presented an Affidavit to the Court alleging that the above-captioned property constitutes or is derived from proceeds of fraud in violation of Title 18, United States Code, Sections 1341, 1343, and 1344;

WHEREAS, the Court, having reviewed the Affidavit, finds that there is probable cause to believe that the property constitutes or is derived from proceeds of fraud;

WHEREAS, upon this finding of probable cause, the property may be subject forfeiture to the United States pursuant to 18 U.S.C. § 981 and/or 28 U.S.C. § 2461(c), and the Government is entitled to record an Order and Lis Pendens to give public notice of the Government's forfeiture interest and potential civil and/or criminal forfeiture claim against the property;

THEREFORE, the United States is directed forthwith to file this Order and Lis Pendens with the appropriate state or local public depository; and ALL WHO READ THIS ORDER AND LIS PENDENS TAKE NOTICE that the property may be subject to forfeiture to the United States in a present or future criminal or civil *in rem* action before this Court, and any person who has a question as to this action should contact:

United States Attorney for the Western District of North Carolina  
Attn: Benjamin Bain-Creed  
227 West Trade Street, Suite 1650  
Charlotte, NC 28202  
(704) 344-6222

This the 12 day of March, 2020.

  
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DAVID S. CAYER  
UNITED STATES MAGISTRATE JUDGE

**TO THE RECORDER OF THIS INSTRUMENT: MAIL ANY AND ALL RECORDED COPIES TO THE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF NORTH CAROLINA AT THE ABOVE ADDRESS.**